

## General Wage Determination Publication

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Signed at Washington, DC, This 10th day of December 1999.

**Margaret J. Washington,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 99-32470 Filed 12-16-99; 8:45 am]

BILLING CODE 4510-27-M

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Summary of Decisions Granting in Whole or in Part Petitions for Modification

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of affirmative decisions issued by the administrators for coal mine safety and health and metal and nonmetal mine safety and health on petitions for modification of the application of mandatory safety standards.

**SUMMARY:** Under section 101 of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor (Secretary)

may allow the modification of the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Final decisions on these petitions are based upon the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA, as designee of the Secretary, has granted or partially granted the requests for modification listed below. In some instances, the decisions are conditioned upon compliance with stipulations stated in the decision. The term "FR Notice" appears in the list of affirmative decisions below. The term refers to the **Federal Register** volume and page where MSHA published a notice of the filing of the petition for modification.

**FOR FURTHER INFORMATION:** Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations, and Variances, MSHA, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Contact Barbara Barron at 703-235-1910.

Dated: December 9, 1999.

**Carol J. Jones,**

*Acting Director, Office of Standards, Regulations and Variances.*

#### Affirmative Decisions on Petitions for Modification.

*Docket No.:* M-1999-020-C.

*FR Notice:* 64 FR 23874.

*Petitioner:* Webster County Coal Corporation.

*Regulation Affected:* 30 CFR 75.701.

*Summary of Findings:* Petitioner's proposal is to use a, 480-volt, three phase, 200KW diesel generator system for moving equipment in and out of the Dotiki Mine and performing rehab work outby section loading points. This is considered an acceptable alternative method for the Dotiki Mine. MSHA grants the petition for modification for the Dotiki Mine with conditions.

*Docket No.:* M-1999-041-C.

*FR Notice:* 64 FR 32553.

*Petitioner:* Five Star Mining, Inc.

*Regulation Affected:* 30 CFR 75.1700.

*Summary of Findings:* Petitioner's proposal is to plug oil and gas wells and then mine through or near the plugged wells whenever the safety barrier diameter is reduced to a distance less than the District Manager will approve

under 30 CFR 75.1700. This is considered an acceptable alternative method for the Prosperity Mine. MSHA grants the petition for modification for the Prosperity Mine with conditions.

*Docket No.:* M-1999-054-C.

*FR Notice:* 64 FR 41139.

*Petitioner:* Consolidation Coal Company.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to operate the diesel grader without individual service brakes on all grader drive wheels. This is considered an acceptable alternative method for the Rend Lake Mine. MSHA grants the petition for modification for the Rend Lake Mine with conditions.

*Docket No.:* M-1999-060-C.

*FR Notice:* 64 FR 41140.

*Petitioner:* Peabody Coal Company.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use its diesel grader underground with only rear wheel brakes instead of using front wheel brakes, limit the grader speed to a maximum of 10 miles per hour, and train grader operators to drop the grader blade in the event the brakes fail. This is considered an acceptable alternative method for the Marissa Mine. MSHA grants the petition for modification for the Marissa Mine with conditions.

*Docket No.:* M-1999-061-C.

*FR Notice:* 64 FR 41140.

*Petitioner:* Performance Coal Company.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use a nominal voltage of power circuits not to exceed 2,400 volts to supply power to high-voltage continuous miner located inby the last open crosscut or within 150 feet from pillar workings. This is considered an acceptable alternative method for the Upper Big Branch Mine-South. MSHA grants the petition for modification for the Upper Big Branch Mine-South with conditions.

*Docket No.:* M-1999-063-C.

*FR Notice:* 64 FR 49246.

*Petitioner:* Bowie Resources Limited.

*Regulation Affected:* 30 CFR 75.1002.

*Summary of Findings:* Petitioner's proposal is to use a nominal voltage of longwall power circuits not to exceed 2,400 volts to supply power to the permissible high-voltage longwall mining equipment inby the last open crosscut. This is considered an acceptable alternative method for the Bowie Mine No. 2. MSHA grants the petition for modification for the Bowie Mine No. 2 with conditions.

*Docket No.:* M-1999-068-C.

*FR Notice:* 64 FR 49247.

*Petitioner:* Peabody Coal Company.

*Regulation Affected:* 30 CFR

75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use its diesel grader underground with only rear wheel brakes instead of brake on each wheel, limit the grader speed to 10 miles per hour maximum and train grader operators to drop the grader blade if the brakes fail. This is considered an acceptable alternative method for the Camp No. 11 Mine. MSHA grants the petition for modification for the Camp No. 11 Mine with conditions.

*Docket No.:* M-1999-069-C.

*FR Notice:* 64 FR 49247.

*Petitioner:* The American Coal Company.

*Regulation Affected:* 30 CFR

75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to operate its Getman Roadbuilders diesel graders, serial number 6187 and 6547, without front brakes but instead use the factory installed brake system on only the rear wheels because using front wheel brakes will result in a diminution of safety. This is considered an acceptable alternative method for the Galatia Mine. MSHA grants the petition for modification for the Galatia Mine with conditions.

*Docket No.:* M-1999-071-C.

*FR Notice:* 64 FR 49247.

*Petitioner:* Turris Coal Company.

*Regulation Affected:* 30 CFR

75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use an alternative method of installing front brakes on its six wheeled grader, limit the maximum speed of the grader to less than 10 miles per hour, provide training for grader operator on lowering the moldboard for additional stopping capability in emergencies, train grader operators on the appropriate speeds to use on different roadway conditions and slopes. This is considered an acceptable alternative method for the Elkhart Mine. MSHA grants the petition for modification for the Elkhart Mine with conditions.

*Docket No.:* M-98-103-C.

*FR Notice:* 64 FR 2520.

*Petitioner:* Consol of Kentucky, Incorporated.

*Regulation Affected:* 30 CFR 75.701.

*Summary of Findings:* Petitioner's proposal is to use a low- and medium voltage, three-phase, alternating current from a portable, 188KW diesel-driven generator and to connect the neutral of the generator's transformer secondary

through a suitable resistor to the frame of the diesel generator. This is considered an acceptable alternative method for the Mill Creek E-3 Mine, Loves Branch-h4 Mine, E3RF Mine, Big Springs #17 Mine, Motts Branch Mine, and Big Springs E-1 Mine. MSHA grants the petition for modification with conditions.

*Docket No.:* M-98-084-C.

*FR Notice:* 63 FR 58430.

*Petitioner:* Consol of Kentucky, Incorporated.

*Regulation Affected:* 30 CFR

75.901(a).

*Summary of Findings:* Petitioner's proposal is to derive a low- and medium voltage three-phase, alternating current for use underground from a portable, diesel-driven generator and to connect the neutral of the generator's transformer secondary through a suitable resistor to the frame of the diesel generator and the frame of the generator solidly connected to a borehole casing, metal waterline, or a grounding conductor with a low resistance to earth. This is considered an acceptable alternative method for the Mill Creek E-3 Mine, Loves Branch-h4 Mine, E3RF Mine, Big Springs #17 Mine, Motts Branch Mine, and Big Springs E-1 Mine. MSHA grants the petition for modification with conditions.

*Docket No.:* M-98-078-C.

*FR Notice:* 63 FR 48766.

*Petitioner:* Webster County Coal Corporation.

*Regulation Affected:* 30 CFR

75.901(a).

*Summary of Findings:* Petitioner's proposal is to use an alternative method for its 480 volt, three-phase, 200KW diesel powered generator that will provide low- and medium voltage three-phase circuits and grounding protection. This is considered an acceptable alternative method for the Dotiki Mine. MSHA grants the petition for modification for the Dotiki Mine with conditions.

*Docket No.:* M-1999-002-M.

*FR Notice:* 64 FR 23874.

*Petitioner:* ASARCO, Inc.

*Regulation Affected:* 30 CFR

57.14100(a).

*Summary of Findings:* Petitioner's request is to modify the standard to permit continued use of its preshift procedures already in place. The petitioner's proposal is to have a qualified and competent driver preshift inspect its buses for the oncoming shift and have the operator drive the bus to the fuel island after the bus is thoroughly inspected, fuel the bus, drive it back to the pit office, and report any

defects to the maintenance department for repair before the bus is placed into service instead of having individual drivers conduct inspections for their prospective bus. This is considered an acceptable alternative method for the Ray Complex Mine. MSHA grants the petition for modification for the Ray Complex Mine with conditions.

*Docket No.:* M-91-05-M.

*FR Notice:* 56 FR.

*Petitioner:* Solvey Minerals, Inc.

*Regulation Affected:* 30 CFR

57.22305.

*Summary of Findings:* Petitioner's proposal is to amend its previously granted petition for modification, docket number M-91-05-M to use specific non-permissible tools or their equivalent in or beyond the last open crosscut. The petitioner proposes to add another non-permissible tool to condition No. 1 of the granted petition for modification and update the list of approved methane monitors that can be used at the mine. This amendment to the petition will allow flexibility as to which approved methane monitors can be used. This is considered an acceptable alternative method for the Solvay Minerals, Inc. Mine. MSHA grants amendment to the previously granted petition for the Solvay Minerals, Inc. Mine with conditions.

[FR Doc. 99-32748 Filed 12-16-99; 8:45 am].

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

#### 1. Long Branch Energy

[Docket No. M-1999-121-C]

Long Branch Energy, P.O. Box 776, Danville, West Virginia 25033 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its #18 Mine (I.D. No. 46-08305) located in Boone County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load. The petitioner asserts that application of the standard will result in a diminution of safety to the miners. In addition, the petitioner asserts that the